



Week 1: Analyzing IEP Policies

Overview

Special education law is a daunting subject for most educators. Many teachers are concerned about how special education provisions in the Individuals with Disabilities Education Improvement Act of 2004 and No Child Left Behind affect their teaching. Understanding these laws and how they affect special education evaluation and accommodation is key for today's school leaders. In this assignment, you will review current literature on special education and evaluate how your school currently develops Individualized Education Programs for students with special educational needs. (Remember, your goal is not to gather information on special education students; it is to familiarize yourself with the special education policies and processes that are currently in place in your school.)

Rubric

Use this rubric to guide your work.

Week 1: Analyzing IEP Policies	Accomplished	Proficient	Needs Improvement	Unacceptable
Part 1: KWL Charts	Completes three KWL Charts in detail (4 points)	Completes three KWL Charts (3 points)	Completes two KWL Charts (2 points)	Completes one KWL Chart or does not complete any (0 points)
Part 2: Analysis of Current State	Completes all 5 responses using a minimum of 1 paragraph for each (5 points)	Completes all 5 responses; not all responses are a paragraph in length (4 points)	Completes less than 5 responses (3 points)	Does not complete any responses (0 points)
Mechanics	No or few errors in grammar, spelling, or punctuation. (1 point)			Responses lack clarity and depth and/or have multiple errors in grammar, spelling, or punctuation. (0 points)

Part 1: KWL Charts

Fill out all three KWL charts. Use the following statements to guide your entries **for each topic listed at the top of the chart:**

- What I know about topics related to special education.
- What I want to know about special education to better serve students and teachers.
- What I learned from these articles that will help me in my educational setting.

Special Education Eligibility and Evaluation		
What I Know	What I Want to Know	What I Learned
Based on my experiences I know Special Education students are evaluated for eligibility by teachers, counselors and school administration, who often rely on analysis of data from classroom performance indicators, physician's reports, parents and direct observations of the child's mental, physical and behavioral abilities. I know if there is a problem identified beyond just being behind in their work or language barrier issues, formal reviews are held during ARD meetings, and based on the outcome a child may be assigned assistance ranging from extra tutoring, to speech and/or hearing therapies, to actual special classes such as Life Skills if the case is severe. Even special modification in high-stakes testing is available if a student qualifies. I also know there is sometimes a tendency by teachers to try to "push" a student into Special Education if they are consistently behind or misbehave, especially due to communications issues for non-English speakers.	I want to know more about how it is determined whether a student really is a Special Education eligible student or is just being stubborn, lazy or obstinate and "playing the system". As most regular-education teachers are not qualified to diagnose learning, behavioral or physical disabilities, how do we ensure an accurate initial referral is being made? Counselors play an important role, but they do not see the child as often as their teacher does. I can see a teacher might not always be objective, particularly if the child is disrupting their classroom, and I want to know how this is handled. I want to know how parents who are recent immigrants and do not understand our laws and our system can get an accurate placement from the school, particularly if they feel the child is either being placed in Special Education when there is no real need, or if they feel the school is overlooking a legitimate issue and denying placement. In the case where "due process" evolves all the way through court challenges like those in the case files, what happens to the child who needs help in the meantime while the justice system slowly turns?	I learned that IDEA (the Individuals with Disabilities Education Act) guarantees all students a free and appropriate public education (FAPE) in the least restrictive environment (LRE), which is the basis for much of Special Education law. I also learned that court cases have further defined FAPE regarding Special Education, particularly <i>Board v. Rowley</i> , which defined that schools must be sure the student can benefit educationally, but they do not have to maximize the potential of the student. Although I had heard of RTI (Response To Intervention) before, I did not realize that it describes a method through which various remedial learning strategies are employed with a student to determine whether they are just behind and need to get caught up, or whether there is a learning deficiency or other handicapping condition involved which is causing the child to fall behind. I now understand that students with mental or physical impairment affecting major life functions, but not specified in IDEA as disabilities, are eligible for Section 504 Plan assistance but will not have an IEP developed for them.

IEP Components		
What I Know	What I Want to Know	What I Learned
<p>I know that an IEP is an individualized plan that includes modifications designed to assist a student in learning despite some form of handicapping condition. I know the IEP is a legal document that the school must follow and it can mandate extra services, equipment and even special classes which the school must pay for to ensure the student has the same opportunity to learn as their peers do. I know the goal of an IEP is to try to help students reach a point where they need as little help as possible, and to mainstream them in a regular classroom to the extent possible. I know the student's parents or legal guardian have input to the IEP as do the teacher, counselor and school administrators. I know there are periodic reviews held to evaluate progress toward the goals set forth in the IEP, and based on the outcome of the reviews, the IEP can be modified or closed if the student has achieved the goals and can be educated again in the regular classroom setting.</p>	<p>I want to know more about how the modifications a student receives in their IEP are carried out so as not to draw too much attention to them in front of their classmates, to "single them out" as the "slow" kid, and thus lead to issues with their peers. I want to know if there are any limits to what an IEP can call for; is there a point at which modifications are deemed to be too expensive or impractical in a certain setting? How far does the law require a school to go with IEP modifications in the traditional classroom before the school decides to put the child in a special self-contained unit? As an IEP is a legal document dealing with student rights, at what point do administrators decide to call in the school attorney for a consultation? What does a school do if the parents refuse to attend ARD meetings – can they be legally compelled to attend, or does the meeting go on without them?</p>	<p>I learned that the IEP is developed by committee during an ARD (Admission, Review and Dismissal) meeting, and is reviewed regularly. The IEP addresses current levels of performance, goals for the year, any related services needed to help the student learn, assessment methods including any required accommodations, and the extent to which the student can participate in the regular classroom. I also learned that as a result of the judgment in <i>Irving v. Tatro</i>, it was clarified that schools must provide related services as needed in the IEP, including medically related services that can be performed without the need of an M.D. (such as catheterization), but schools are not required to provide services that require administration by an M.D.</p>

Implementing the IEP		
What I Know	What I Want to Know	What I Learned
<p>I know from experience that implementing the IEP can involve many disciplines and departments; as Technology Director I have had to help Special Education acquire laptop computers and special adaptive technologies, and even configure them for student use at home as well as at school. I know that the IEP document contains the specific directions teachers must follow including special modifications to lesson plans and other class activities, and may even directly require assistance be given to the student when taking the TAKS exam (such as a reader). The IEP might even require administration of a modified form of the TAKS test such as TAKS-Alt or TAKS-Modified. I also know the implementation of the IEP dictates ways in which regular classroom teachers and Special Education teachers interact and support each other during the delivery of instruction. An IEP can even place a student in an ESY (Extended School Year) class which provides instruction for several extra weeks after the normal school year ends.</p>	<p>I want to know what measures are taken to ensure the IEP not only provides for the special needs student but minimizes interference with the routine of the regular classroom, especially regarding any special assistance given while administering high-stakes testing. What legal options do regular classroom teachers have when implementing IEPs for students who may be uncooperative or rebellious and suddenly threaten their teachers or peers? Can Special Education students be sent to "alternative school" like regular students? Do Special Education students and their parents have the same rights to due process as regular students, or are there extra protections built into the laws or IEP itself such as a "hold harmless" clause? I also want to know more about if or how the IEP handles the potential for conflict between NCLB AYP requirements and the Texas AEIS requirements – it seems they are at odds in that the AEIS puts students into categories when using their scores for campus ratings, but NCLB AYP wants the students to fully participate and be educated and tested in the least restrictive way which can count against us on the AEIS report.</p>	<p>I have learned that the accommodations prescribed in an IEP to assist a student in taking a standardized test such as TAKS must be consistent between classroom practice and actual test administration, and that the teacher must understand and properly implement the accommodations to ensure the student received the desired benefit, while not over-applying accommodations in a way that negatively affects regular students. I also learned that IEPs no longer contain short-term objectives unless there is immediate need for testing accommodations, and that plans for transitioning students out of the school setting now begin at 16 years of age. I learned that if Special Education students have major behavioral issues, schools can remove them from the classroom, suspend them from school, or place them in an alternative setting for up to 10 days, much like they would any other student, although an IEP review meeting must be held if the student is to be placed in an alternative setting for more than 10 days. I learned the right to due process extends to all students and parents, but is further defined legally for Special Education students and their parents in IDEIA 2004.</p>

Part 2: Analysis of Current State

The second part of your assignment requires you to seek information from your school's special education coordinator or a teacher familiar with the IEP process. Begin by printing out your state's IEP document, which is located in the Resource section of this course. Use this form to develop questions about the procedures your school uses in identifying, evaluating, and accommodating special education students. Then, answer the following questions after contacting staff members at your school who are knowledgeable in special education.

Each response needs to be a minimum of one paragraph. Type your responses in the expandable boxes below.

Response #1

How do school staff members feel about the IEP process as a whole? Is it stressful? Do they feel it represents a true collaboration between parents and staff members to best serve students?

-My District Special Education Director informed me that the way school staff members feel about the IEP process as a whole depends upon their specific role in the process. The Special Education staff feels that the IEP process is an integral part of the learning process, while the classroom teacher feels it provides guidance, and is a plan providing goals and objectives for teaching their specific subject to the student. Regular teachers tend to disregard sections of the IEP that do not relate specifically to their instruction of the student as "paperwork", whereas Special Education staff realize all parts of the IEP are important and meaningful.

-Once children are in the Special Education program, staff may feel the IEP implementation is arduous, but not stressful. Most of the stress occurs during the initial review phases of the ARD rather than during the implementation of the IEP.

-School staff feel that the IEP process provides an opportunity for true collaboration; most staff stay for the entire ARD meeting, and parents are usually involved and are supportive once they realize the outcomes will benefit their child. Our District Special Education Department has staff who work hard to keep parents informed; they communicate through multiple channels, going out of their way to address the parent's time constraint issues and other concerns.

Response #2

Which aspect of the IEP process most confuses or discourages team members?

-District staff are most confused or discouraged during the process of building the accommodation list. The District used to use a checklist, which made the accommodations hard to keep track of and resulted at times in over-use of accommodations. There is a different system in place now which has improved the situation. The new process is based on concerns (needs) to be addressed through the use of accommodations, and thus focuses more on the needs of the student than on the accommodations themselves.

Response #3

How does your school/district determine whether students are eligible for special education?

-Eligibility is determined in our District using an RTI (Response to Intervention) pre-referral process. It starts when a suspicion of eligibility is identified. A program is then set up to remediate the student and see if that brings them up to speed; if not, the student is then evaluated to see if there is a disability, and to see if there is an academic need; if so they qualify for Special Education and the ARD process begins.

Response #4

What do IEP team members say can be done to better improve the process?

-Our District IEP team members believe the process could be improved through more collaboration between the regular education and Special Education teachers, providing more time to share the responsibilities of implementing the IEP while mentoring the regular education teachers on methods of implementing the accommodations in more effective ways.

Response #5

Are students' IEPs effectively implemented at your school? What can be done to improve implementation?

-Student IEPs are effectively implemented in our District as we offer lots of inclusion and programming accommodations to students with disabilities so that they can participate in regular classes with their peers. If success is measured by the number of Special Education students who can take the standardized TAKS tests, then we are very successful in effectively implementing the IEPs. Our student outcomes receive a very high rating from the Special Education students themselves.

-Although most of our regular education teachers feel they get an appropriate amount of support while implementing the IEPs, this is subject to individual preference, and the need for additional support from the Special Education teachers and staff while implementing IEPs in the classroom would probably be the main suggestion for improving the process.